

08-20-01

A

Atty. Dkt. No. 089498-0314

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: YGUERABIDE et al.  
Title: ANALYTE ASSAY USING  
PARTICULATE LABELS  
Prior Appl. No.: 08/953,713  
Prior Appl. Filing Date: October 17, 1997  
Examiner: G. Gabel  
Art Unit: 1641

<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, Washington, D.C. 20231.	
EL452691537US	8/16/01
(Express Mail Label Number)	(Date of Deposit)
Jodie Price	
(Printed Name)	
	
(Signature)	

11050 U.S. PTO  
09/931729  
08/16/01

**CONTINUING PATENT APPLICATION**  
**TRANSMITTAL LETTER**

Commissioner for Patents  
Box PATENT APPLICATION  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is a:

☐ Continuation ☒ Division ☐ Continuation-In-Part (CIP)

of the above-identified copending prior application in which no patenting, abandonment, or termination of proceedings has occurred. Priority to the above-identified prior application is hereby claimed under 35 U.S.C. § 120 for this continuing application. The entire disclosure of the above-identified prior application is considered as being part of the disclosure of the accompanying continuing application and is hereby incorporated by reference therein.

☒ Applicant claims small entity status under 37 CFR 1.27.

Enclosed are:

- ☒ Specification, Claim(s), and Abstract ( 302 pages);
- ☒ Formal drawings (30 sheets, Figures 1-33);
- ☒ Preliminary Amendment;
- ☒ Copy of Declaration/Power of Attorney; and
- ☒ A Check in the Amount of \$1066.00

50  
46  
49

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$710.00	\$710.00
Total Claims:	-	20	= 79	x \$18.00	= \$1,422.00
Independents:	-	3	= 0	x \$80.00	= \$0.00
If any Multiple Dependent Claim(s) present:				+ \$270.00	= \$0.00
Surcharge under 37 CFR 1.16(e) for late filing of Executed Declaration and late payment of filing fee				+ \$130.00	= \$0.00
				SUBTOTAL:	= \$2,132.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):					= \$1,066.00
				TOTAL FILING FEE:	= \$1,066.00

- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 16 August 2001

By Wesley B. Ames

FOLEY & LARDNER  
PO Box 80278  
San Diego, CA 92138-0278  
Telephone: 858-847-6700  
Facsimile: 858-792-6773

Wesley B. Ames  
Attorney for Applicant  
Registration No. 40,893